

## State Water Resources Control Board

February 7, 2019

Vic Pasco, President  
Gooselake Water Company - 1500584  
16232 Palm Avenue  
Bakersfield, CA 93314

**COMPLIANCE ORDER NO. 03\_12\_19R\_002**  
**1,2,3-TRICHLOROPROPANE (1,2,3-TCP) MAXIMUM CONTAMINANT LEVEL VIOLATION**  
**FOR Fourth Quarter of 2018**

Dear Mr. Pasco:

Enclosed is Compliance Order No. 03\_12\_19R\_002 (hereinafter "Order") issued to the Gooselake Water Company (hereinafter "Water System") public water system. **Please note there are legally enforceable deadlines associated with this Order starting on page 3 of the Order.**

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Order. California Health and Safety Code (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with an order. At this time, the State Water Board has spent approximately one and one-half hours on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Linda Ramirez of my staff at (559) 447-3392 or me at (559) 447-3300.

Sincerely,



Chad Fischer, P.E.  
Senior Sanitary Engineer, Visalia District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

Certified Mail No. 7016 3010 0000 0446 0907

CJF/LR

Enclosures

cc: Kern County Environmental Health Department  
McMor Chlorination, Inc., 4700 District Blvd., Bakersfield, CA 93313

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** Gooselake Water Company

**Water System No:** 1500584

**Attention:** Vic Pasco, President

16232 Palm Avenue

Bakersfield, CA 93314

**Issued:** February 7, 2019

**COMPLIANCE ORDER FOR NONCOMPLIANCE**

**CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555 AND  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64444**

**1,2,3-TRICHLOROPROPANE MAXIMUM CONTAMINANT LEVEL VIOLATION**

**Fourth Quarter of 2018**

The California Health and Safety Code (hereinafter "CHSC"), Section 116655 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a compliance order to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12,



Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Compliance Order No. 03\_12\_19R\_002 (hereinafter "Order"), pursuant to Section 116655 of the CHSC to the Gooselake Water Company (hereinafter "Water System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64444, Maximum Contaminant Levels (hereinafter "MCL") – Organic Chemicals.

#### STATEMENT OF FACTS

The Water System is classified as a community public water system with a population of 90 persons served through 32 service connections. The Water System is using a groundwater source, Well No. 01, to supply potable water to the distribution system.

CHSC, Section 116555 requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants, specific treatment standards, and monitoring and reporting requirements as specified in regulations adopted by the State Water Board.

CCR, Title 22, Section 64444 Maximum Contaminant Levels – Organic Chemicals states that public water systems shall comply with the primary MCLs established in table 64444-A. The MCL for 1,2,3-Trichloropropane (hereinafter "1,2,3-TCP") is 0.000005 milligrams per liter (hereinafter "mg/L").

CCR, Title 22, Section 64445.1(c)(5)(C) Repeat Monitoring and Compliance – Organic Chemicals states that if any sample would cause the running annual average to exceed the MCL, the water system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

The State Water Board received four laboratory results for 1,2,3-TCP from Well No. 01. The average 1,2,3-TCP concentration from the four samples was 0.000008 mg/L. A summary of the Water System's most recent 1,2,3-TCP monitoring results are presented in Table 1 below:

**Table 1 – Well No. 01 1,2,3-TCP Sample Results (mg/L)**  
**(1,2,3-TCP MCL is 0.000005 mg/L)**

Compliance Period	Sample Date	Result	Running Annual Average (RAA)
1 <sup>st</sup> Quarter 2018	1/5/2018	0.000010	
2 <sup>nd</sup> Quarter 2018	4/5/2018	0.000006	
3 <sup>rd</sup> Quarter 2018	7/6/2018	0.000010	
4 <sup>th</sup> Quarter 2018	10/4/2018	0.000006	<b>0.000008</b>

\* If any one sample or average of samples would cause the four-quarter average (annual average) to exceed the MCL, the water system is immediately in violation.

### DETERMINATION

The State Water Board has determined that the Water System has failed to comply with primary drinking water standards pursuant to CHSC, Section 116555 and the 1,2,3-TCP MCL pursuant to CCR, Title 22, Section 64444.

## DIRECTIVES

To ensure that the water supplied by the Water System is at all times safe, wholesome, healthful, and potable, the Water System is hereby directed to take the following actions:

1. By **February 7, 2022**, comply with CCR, Title 22, Section 64444.
2. Quarterly sampling for 1,2,3-TCP from Well No. 01 must begin with the 1<sup>st</sup> quarter of 2019 and must continue every three months thereafter. The analytical results of the samples must be submitted electronically to the State Water Board, by the laboratory, that conducts the analysis, no later than the tenth day of the month following completion of the analyses.
3. By **March 7, 2019**, notify all persons served by the Water System of the violation of CCR, Title 22, Section 64444, in conformance with Sections 64463.4 and 64465. Public notification to the persons served by the Water System shall continue quarterly until the State Water Board determines that the 1,2,3-TCP contamination is resolved. Appendix 1: Notification Template must be used to fulfill this directive, unless otherwise approved by the State Water Board. The notification must be completed in accordance with the following:
  - By mail or direct delivery of the Public Notification to each customer served by the water system and;
  - By one of the following secondary methods to reach persons not likely to be reached by mail or direct delivery;
    - By publication in a local newspaper, by delivery to community organizations or by posting in conspicuous public places served by the water system or on the internet. If the water system opts to issue the notice via internet website, the public notice must remain posted for a



1 minimum of seven (7) consecutive days.

2

3 4. Complete Appendix 2: Certification of Completion of Public Notification Form.

4 Submit it together with a copy of the public notification required by Directive 3 to

5 the State Water Board within 10 days following each public notification. The first

6 certification of completion of public notification form is due by **March 18, 2019**.

7

8 5. Prepare for State Water Board approval, a Corrective Action Plan, identifying

9 improvements to the water system designed to correct the water quality

10 problems identified as an exceedance of the 1,2,3-TCP MCL and ensure that

11 the Water System delivers water to consumers that meets primary drinking

12 water standards. The plan shall include a time schedule for completion of each

13 of the phases of the project such as design, construction, and startup, and a

14 date as of which the Water System will be in compliance with the 1,2,3-TCP

15 MCL, which date must be no later than **February 7, 2022**.

16

17 6. By **April 7, 2019**, submit and present the Corrective Action Plan to the State

18 Water Board's office located at 265 W. Bullard Avenue, Suite 101, Fresno, CA

19 93704.

20

21 7. Perform the State Water Board approved Corrective Action Plan, and each and

22 every element of said plan, according to the time schedule set forth therein.

23

24 8. By **April 10, 2019**, and every three months thereafter, submit a report to the

25 State Water Board in the form provided as Appendix 3 showing actions taken

26 during the previous quarter (calendar three months) to comply with the

27 Corrective Action Plan.

28

1 9. By **February 17, 2022**, demonstrate to the State Water Board that the water  
2 delivered by the Water System complies with the 1,2,3-TCP MCL.  
3

4 10. Notify the State Water Board in writing no later than five (5) days prior to the  
5 deadline for performance of any directive set forth herein if the Water System  
6 anticipates it will not meet the deadline.  
7

8 11. By **March 10, 2019**, complete and return to the State Water Board the  
9 "Notification of Receipt" form attached to this Order as Appendix 4. Completion  
10 of this form confirms that the Water System has received this Order and  
11 understands that it contains legally enforceable directives with due dates.  
12

13 All submittals required by this Order, unless otherwise specified in the directives above;  
14 must be electronically submitted to the State Water Board at the following address.

15 The subject line for all electronic submittals corresponding to this Order must include  
16 the following information: Water System name and number, Order number and title of  
17 the document being submitted.  
18

19 Chad Fischer, P.E., Senior Sanitary Engineer  
20 State Water Resources Control Board  
21 Division of Drinking Water, Visalia District  
22 265 W. Bullard Ave, Suite 101  
23 Fresno, CA 93704

24 Dwpdist12@waterboards.ca.gov  
25

26 The State Water Board reserves the right to make modifications to this Order as it may  
27 deem necessary to protect public health and safety. Such modifications may be issued  
28 as amendments to this Order and shall be effective upon issuance.  
29



1 Nothing in this Order relieves the Water System of its obligation to meet the  
2 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,  
3 commencing with Section 116270), or any regulation, standard, permit or order issued  
4 or adopted thereunder.

5  
6 **PARTIES BOUND**

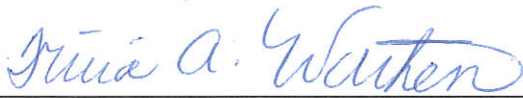
7 This Order shall apply to and be binding upon the Water System, its owners,  
8 shareholders, officers, directors, agents, employees, contractors, successors, and  
9 assignees.

10  
11 **SEVERABILITY**

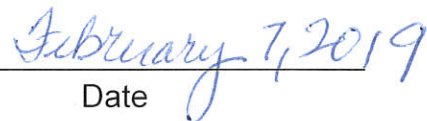
12 The directives of this Order are severable, and the Water System shall comply with  
13 each and every provision thereof notwithstanding the effectiveness of any provision.  
14  
15

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Order.



Tricia A. Wathen, P.E.  
Central California Section Chief  
State Water Resources Control Board  
Division of Drinking Water



Date

**Appendices:**

1. Notification Template
2. Certification of Completion of Public Notification
3. Quarterly Progress Report
4. Notification of Receipt



Certified Mail No. 7016 3010 0000 0446 0907